

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

RAMON VILLANUEVA-BAZALDUA )  
individually and on behalf of others )  
similarly situated, )

Plaintiff, )

v. )

TRUGREEN LIMITED PARTNERS<sup>1</sup> )  
and TRUGREEN, INC.<sup>2</sup> d/b/a )  
TRUGREEN CHEMLAWN,<sup>3</sup> )

Defendant. )

Civil Action No.: 06-185 (GMS)

**NOTICE OF VIDEO DEPOSITION FOR USE AT TRIAL**

PLEASE TAKE NOTICE that the video deposition for use at trial of Plaintiff Ramon Villanueva-Bazaldua will take place on October 5, 2006 at 9:00 a.m., at the offices of Morgan, Lewis and Bockius LLP, 1701 Market Street, Philadelphia, PA 19103, and will continue from day to day until concluded. You are invited to attend.

Respectfully submitted,

/s/Michael P. Kelly  
Michael P. Kelly (de Bar ID #2295)  
McCarter & English  
Citizens Bank Building  
919 N. Market Street, 18th Floor  
Wilmington, DE 19801  
(302) 984-6301

Dated: September 20, 2006

Attorney for Defendants

<sup>1</sup> The correct legal name is TruGreen Limited Partnership.

<sup>2</sup> TruGreen, Inc. was not Plaintiff's employer, and therefore, is not a proper party in this action.

<sup>3</sup> TruGreen, Inc. does not do business as (d/b/a) TruGreen Chemlawn; TruGreen Limited Partnership does do business as (d/b/a) TruGreen Chemlawn.

**CERTIFICATE OF SERVICE**

I, Michael P. Kelly, hereby certify that a true and correct copy of Notice of Video Deposition for Use at Trial was served via e-file on this 20<sup>th</sup> day of September, 2006, upon the following:

Vivian L. Rapposelli, Esquire (#3204)  
Rapposelli, Castro & Gonzales  
1300 Grant Ave., St. 100  
Wilmington, DE 19806

/s/ Michael P. Kelly  
Michael P. Kelly